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4 PARNELL CURTIS,  
5 Plaintiff,  
6 v.  
7 F. BELTRAN, et al.,  
8 Defendants.

Case No. [15-cv-02679-DMR](#) (PR)

**ORDER OF DISMISSAL WITHOUT  
PREJUDICE**

9 Plaintiff, a state prisoner, filed the present *pro se* prisoner complaint under 42 U.S.C.  
10 § 1983. Plaintiff has consented to magistrate judge jurisdiction in this matter. Dkt. 1 at 7.  
11 Plaintiff filed an *in forma pauperis* application and his prisoner trust account statement; however,  
12 he filed an incomplete copy of his certificate of funds because it was not signed by an authorized  
13 officer at the prison. Dkt. 2.

14 On June 29, 2015, the Clerk of the Court notified Plaintiff that his *in forma pauperis*  
15 application was deficient due to the failure to include a certificate of funds that was completed and  
16 signed by an authorized officer at the prison. The Clerk further informed him that his action could  
17 not go forward until he filed the necessary document within twenty-eight days, and that his failure  
18 to do so would result in dismissal of this action. More than twenty-eight days have passed and  
19 Plaintiff has not submitted a certificate of funds that has been completed and signed by an  
20 authorized officer at the prison.

21 Accordingly, this action is DISMISSED WITHOUT PREJUDICE. Plaintiff's *in forma*  
22 *pauperis* application is DENIED as incomplete. Dkt. 2. The Clerk shall enter judgment, terminate  
23 all pending motions and close the file.

24 IT IS SO ORDERED.

25 Dated: August 24, 2015



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DONNA M. RYU  
United States Magistrate Judge

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

PARNELL CURTIS,  
Plaintiff,  
v.  
F. BELTRAN, et al.,  
Defendant

Case No. [4:15-cv-02679-DMR](#)

## **CERTIFICATE OF SERVICE**

F. BELTRAN, et al.,  
Defendants.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on August 24, 2015, I SERVED a true and correct copy(ies) of the Order of Dismissal Without Prejudice, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Parnell Curtis ID: H-09068  
31625 Hwy 101 N  
Soledad, CA 93960

Dated: August 24, 2015

Richard W. Wieking  
Clerk, United States District Court

By: Ivy Lerma Garcia, Deputy Clerk to the  
Honorable DONNA M. RYU